

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

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U.S. DISTRICT COURT

SECURITIES AND EXCHANGE COMMISSION

OFFICE OF JUDGE
J. THOMAS GREENE

Plaintiff,

v.

SAN MARINO SECURITIES, INC.,
MARK EAMES,
ROBERT EAMES,
AND GARTH POTTS,

Defendants.

DEFAULT JUDGMENT
AND ENTRY OF
PERMANENT INJUNCTION
AGAINST MARK E.
EAMES

Civil No. 94CV 529G

It appearing to this Court that Plaintiff Securities and Exchange Commission (the "Commission"), having duly commenced this action by filing its Complaint for Permanent Injunction and Other Equitable Relief (the "Complaint"), defendant Mark Edward Eames ("Eames") having failed to file an answer to the Complaint; the Commission having moved this Court for an Order of Default and a permanent injunction against the defendant Eames; the Commission having submitted memoranda and declarations in support of the motion, the Court having jurisdiction over the parties and the subject matter of this action; and the Court being fully advised in the premises, and there being no just reason for delay, THE COURT ORDERS, ADJUDGES AND DECREES:

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means or instrumentality of interstate commerce, in connection with the purchase, offer or sale of securities of any issuer whatsoever, employing any device, scheme or artifice to defraud, making any untrue statement of material fact or omitting to state any material fact necessary in order to make the statement made, in light of the circumstances under which they were made, not misleading, obtaining money or property by means of any untrue statement of material fact or any omission to state any material fact necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading, or engaging in any act, practice or course of business which operates or would operate as a fraud or deceit upon any person or other conduct of similar purport and object, in violation of Section 17(a)(1), (2), or (3) of the Securities Act of 1933 [15 U.S.C. § 77q(a)(1), (2), and (3)], or Section 10(b) of the Securities Exchange Act of 1934 [15 U.S.C. § 78j(b)] and Rule 10b-5 thereunder [17 C.F.R. § 240.10b-5].

V.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that this Court shall retain jurisdiction of this matter for all purposes, including the ordering of disgorgement or civil penalties pursuant to a motion to be filed by plaintiff, and the enforcement of this final judgment, and

VI.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that this Final Judgment of Permanent Injunction shall be entered by the clerk of

the Court in favor of Plaintiff Securities and Exchange Commission and against the defendant Mark Edward Eames.

There being no just cause for delay, the Clerk of the Court hereby is directed, pursuant to Rule 54(b) of the Federal Rules of Civil Procedure to enter this FINAL JUDGMENT immediately and without further notice.

DATED

January 13, 1998

J. Thomas Greene
United States District Judge

mjm

United States District Court
for the
District of Utah
January 14, 1998

* * MAILING CERTIFICATE OF CLERK * *

Re: 2:94-cv-00529

True and correct copies of the attached were mailed by the clerk to the following:

Mr. Thomas M Melton, Esq.
SEC
50 S MAIN STE 500
500 KEY BANK BLDG
SALT LAKE CITY, UT 84144-0402